

**FISCAL YEAR 2013 AMENDMENT TO THE  
AMENDED AND RESTATED OPERATING AGREEMENT**

Between

**CITY AND COUNTY OF DENVER,**  
a municipal corporation and home rule city of the State of Colorado

and

**DENVER HEALTH AND HOSPITAL AUTHORITY,**  
a body corporate and political subdivision of the State of Colorado

**FISCAL YEAR 2013 AMENDMENT TO THE  
AMENDED AND RESTATED OPERATING AGREEMENT**

**THIS FISCAL YEAR 2013 AMENDMENT TO THE AMENDED AND RESTATED OPERATING AGREEMENT** is made between the City and County of Denver, a municipal corporation and home rule city organized and existing under the constitution and the laws of the State of Colorado (the “City”), and the Denver Health and Hospital Authority, a body corporate and political subdivision of the State of Colorado (the “Authority”).

**RECITALS**

**WHEREAS**, the parties entered into an Operating Agreement (the “Original Operating Agreement”), and an Amendatory Operating Agreement, both of which are dated as of January 1, 1997, a Second Amendment to the Operating Agreement dated November 10, 1997, a Third Amendment to Operating Agreement dated January 20, 1998, a Fourth Amendment to the Operating Agreement dated February 9, 1998, and a Fifth Amendment to the Operating Agreement dated May 28, 1998, which Agreements are on file with the Clerk of the City.

**WHEREAS**, the parties also entered into an Agreement dated December 31, 1996 stating the terms under which the Authority would provide acute and chronic inmate patient care onsite at the Denver County Jail and the Pre-Arrestment Detention Facility and would provide forensic medicine services, which agreement is on file with the City Clerk, and which the Third Amendment to Operating Agreement incorporated into the Operating Agreement; and

**WHEREAS**, these agreements were all incorporated into the Amended and Restated Operating Agreement dated December 1, 1998 which Agreement is on file with the Clerk of the City which was amended by the Fiscal Year 2000 Amendments to the Amended and Restated Operating Agreement dated December 20, 1999; by the Fiscal Year 2000 Second Amendment to the Amended and Restated Operating Agreement dated August 21, 2000; Fiscal Year 2001 Amendment to the Amended and Restated Operating Agreement dated February 8, 2001; Fiscal Year 2002 Amendment to the Amended and Restated Operating Agreement dated December 17, 2001 and Fiscal Year 2003 Amendment to the Amended and Restated Operating Agreement dated December 31, 2002; Fiscal Year 2004 Amendment to the Amended and Restated Operating Agreement dated January 7, 2004; Fiscal Year 2005 Amendment to the Amended and

Restated Operating Agreement dated December 14, 2004; Fiscal Year 2006 Amendment to the Amended and Restated Operating Agreement dated December 9, 2005; Fiscal Year 2007 Amendment to the Amended and Restated Operating Agreement dated December 19, 2006; Fiscal Year 2008 Amendment to the Amended and Restated Operating Agreement dated December 4, 2007; Fiscal Year 2009 Amendment to the Amended and Restated Operating Agreement dated December 23, 2008; First Amendment to Fiscal Year 2009 Amendment to the Amended and Restated Operating Agreement dated June 23, 2009; Fiscal Year 2010 Amendment to the Amended and Restated Operating Agreement dated December 29, 2009, FY 2011 Amendment to the Amended and Restated Operating Agreement dated November 2, 2010, and FY 2012 Amendment to the Amended and Restated Operating Agreement dated December 6, 2011;

**WHEREAS**, the parties contemplated amending the Operating Agreement annually to reflect new funding levels and other necessary adjustments by amending the appendices to the Operating Agreement and the parties now wish to so amend the Amended and Restated Operating Agreement for fiscal year 2013;

**NOW, THEREFORE**, the parties agree as follows:

1. The Amended and Restated Operating Agreement, is amended by replacing the appendices with the revised appendices, which are attached to and incorporated in this Fiscal Year 2013 Amendment to the Amended and Restated Operating Agreement.
2. This Agreement shall not take effect until its final approval by City Council, and until properly and fully executed by all appropriate City officials, including the Mayor, the Clerk and Recorder, the Manager of Finance, and the Auditor.
3. As amended by this Fiscal Year 2013 Amendment to the Amended and Restated Operating Agreement, the Amended and Restated Operating Agreement is hereby ratified and reaffirmed in all particulars.

**IN WITNESS WHEREOF**, the parties have executed this Fiscal Year 2013 Amendment to the Amended and Restated Operating Agreement.

Contract Control No. CE60436(22)

**Contract Control Number:** ENVHL-CE60436-22

**Contractor Name:** DENVER HEALTH AND HOSPITAL AUTHORITY

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

**CITY AND COUNTY OF DENVER**

ATTEST:

By \_\_\_\_\_

\_\_\_\_\_

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

DOUGLAS J. FRIEDNASH, Attorney  
for the City and County of Denver

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



Contract Control Number: ENVHL-CE60436-22

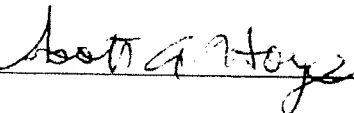
Contractor Name: DENVER HEALTH AND HOSPITAL AUTHORITY

By: 

Name: Arthur A. Gonzalez, M.D., M.P.H., FACHE  
(please print)

Title: Chief Executive Officer  
(please print)

ATTEST: [if required]

By: 

Name: Scott A. Hoye  
(please print)

Title: Interim General Counsel  
(please print)



DENVER  
HEALTH  
& HOSPITAL  
AUTHORITY

